

BOARD DOCUMENT 10-06

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE
BOARD MEETING
THURSDAY AUGUST 5, 2010
INDIANA GOVERNMENT CENTER SOUTH
402 W WASHINGTON STREET, ROOM W064
INDIANAPOLIS, IN 46204**

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

Theodore Mau, Chairman
Paul St. Pierre, Vice Chairman
James Todd
Samuel Frain
John Gerlach
David McComb
Anne M. Patterson
Roland Cutter

BOARD MEMBERS ABSENT:

Matthew Drury
Erin Kellam, State Board of Health

STATE OFFICIALS PRESENT:

Tracy Hicks, Board Director
Kevin McDowell, Deputy Attorney General
Larry Harvey, Compliance Director
Jeanne Tucker, Compliance Officer

**MINUTES TRANSCRIBED AND
COMPILED BY:**

Tracy Hicks, Board Director

**MINUTE NO. 10-55
CALL TO ORDER**

The meeting was called to order at 11:00 a.m. by T. Mau, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

**MINUTE NO. 10-56
ADOPTION OF THE AUGUST 5, 2010 AGENDA**

P. St. Pierre moved to adopt the August, 2010 agenda. A. Patterson seconded the motion. Motion carried.

**MINUTE NO. 10-57
ADOPTION OF THE MINUTES OF JUNE 3, 2010 MEETING OF THE BOARD**

S. Frain moved to adopt the minutes of the June 3, 2010 meeting of the board. J. Todd seconded the motion. Motion carried.

**MINUTE NO. 10-58
ADMINISTRATIVE HEARING IN THE MATTER OF RICHARD DUANE PYKE, FD08800208, SBFCS 10-06**

P. St. Pierre moved to extend the summary suspension for 90 days. J. Todd seconded the motion. Motion carried.

MINUTE NO. 10-59

ADMINISTRATIVE HEARING IN THE MATTER OF ROBERT S. TROXELL, SBFCS 07-06

A. Patterson moved to reinstate the funeral director license to indefinite probation with no right to petition for reinstatement for a period of two years in the matter of Robert S. Troxell, SBFCS 07-06. R. Cutter seconded the motion. Motion carried.

MINUTE NO. 10-60

ADMINISTRATIVE HEARING IN THE MATTER OF JOHN T. HAUCK, FD01001617, SBFCS 10-04

P. St. Pierre abstained from the proceedings.

S. Frain moved to hold Respondent in Default. A. Patterson seconded the motion. Motion carried.

A. Patterson Moved to find Respondent in violation of all counts and revoke the license in the matter of John T. Hauck, FD01001617, SBFCS 10-04. **USE WHAT DAG SUGGESTED IN HIS ORDER.** J. Todd seconded the motion. Motion carried.

MINUTE NO. 10-61

CONSIDERATION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

S. Frain moved to accept the proposed Findings of Fact Robert Loose Funeral Home, FH83000215, SBFCS 09-07. R. Cutter seconded the motion. Motion carried.

R. Cutter moved to accept the Proposed Findings of Fact, Conclusions of Law, and Order in the matter of Burns-Kish Funeral Home, FH83004968, SBFCS 09-06. A. Patterson seconded the motion. Motion carried.

MINUTE NO. 10-62

VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

A. Susan Jo Babcock

Re: Northeast Indiana Cremation Society, CR30000006

T. Mau moved to deny the request due to the fact that there has been no loss. J. Gerlach seconded the motion. Motion carried.

B. Elizabeth J. Poorman

Re: Northeast Indiana Cremation Society, CR30000006

J. Gerlach moved to approve the request with interest not to exceed the contract amount. J. Todd seconded the motion. Motion carried.

C. Monica J. Daniels

Re: Northeast Indiana Cremation Society, CR30000006

A. Patterson moved to approve the request with interest not to exceed the contract amount. J. Todd seconded the motion. Motion carried.

D. William H. Mayer

Re: Northeast Indiana Cremation Society, CR30000006

J. Todd moved to approve the request with interest not to exceed the contract amount. A. Patterson seconded the motion. Motion carried.

E. Lois M. McNett

Re: Northeast Indiana Cremation Society, CR30000006

T. Mau moved to approve the request with interest not to exceed the contract amount. J. Gerlach seconded the motion. Motion carried.

F. James E. McQueen, Sr.

Re: Northeast Indiana Cremation Society, CR30000006

T. Mau moved to deny the request due to no proof of payment. J. Gerlach seconded the motion. Motion carried.

G. Mary Lucille Merz

Re: Northeast Indiana Cremation Society, CR30000006

A. Patterson moved to approve the request with interest not to exceed the contract amount. P. St. Pierre seconded the motion. Motion carried.

H. Margaret E. Osborn

Re: Northeast Indiana Cremation Society, CR30000006

S. Frain moved to deny the request due to no proof of payment. A. Patterson seconded the motion. Motion carried.

I. Superior Crematory, Inc.

Re: R. D. Pyke Funeral Services, FH89200005

S. Frain moved to deny the request due to the fact that the contract was at need rather than preneed. T. Mau seconded the motion. Motion carried.

J. Mary L. Montgomery

Re: R. D. Pyke Funeral Services, FH89200005

S. Frain moved to deny the request due to the fact that the contract was at need rather than preneed. A. Patterson seconded the motion. Motion carried.

K. Thomas D. Poyser

Re: R. D. Pyke Funeral Services, FH89200005

S. Frain moved to deny the request due to the fact that the contract was at need rather than preneed. R. Cutter seconded the motion. Motion carried.

L. George Kahl

Re: R. D. Pyke Funeral Services, FH89200005

S. Frain moved to deny the request due to the fact that the contract was at need rather than preneed. A. Patterson seconded the motion. Motion carried.

**MINUTE NO. 10-63
CORRESPONDENCE**

- A. Nathan L. Bluit Jr., reported that Mary Sturdivant, FD08700751, resigned from Williams & Bluit Funeral Home, FH11000028
- B. Eugene F. Wagner, FD29600119, reported he is now working at Connelly funeral Home in Michigan
- C. Jason D. Johnston, FD20900007, reported a change of address.
- D. SCI management reported a purchase of all outstanding common shares of Keystone for Roselawn Cemetery, 7500 N. Clinton, Terre Haute, IN
- E. Bruce Robinson, FD01018874, has replaced Larry Williams, FD09100023 as manager of Midwest Funeral Home & Cremation Society, Inc.
- F. Brent Wireman, FD21000022, is no longer employed at Porter Funeral Home in Tipton

- G. Kline-Medaryville Mortuary and Cremation Service in Medaryville is now closed.
- H. Rick Kline Funeral Service and Supply in Millersburg has closed.
- I. William Zimmerman, FD01011076 is now the sole owner of Zimmerman-Inman Funeral Home, FH11000005. William Inman is no longer affiliated with the funeral home.
- J. Matthew Coon, FD20900004, is now the manager of Nusbaum-Elkin Funeral Home in Walkerton
- K. Justin Goodman, FD20500037, is no longer employed with Hartzler-Gutermuth-Inman Funeral Home.
- L. Adrienne Guilt, FI210000004, is serving her internship with Hoosier Removal Service, which is not a licensed funeral home. Flanner and Buchannon, FH105000018, contacted Paul St. Pierre indicating Guilt was employed at their funeral home.

MINUTE NO. 10-64

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES, APPROVED

S. Frain moved to approve the following providers and courses. A. Patterson seconded the motion. Motion carried.

APPLICATION FOR RECOGNITION AS A SPONSOR OF CONTINUING EDUCATION

American Academy McAllister Institute of Funeral Service, 619 W. 54th St., 6th Floor, New York, NY 10019

- "Red Flags Rule" Funeral Home Requirements, ongoing, 1 ceu

Robin Matthew Heppell, CFSP, Box 8723, Victoria, BC V8W3S3

- Understanding Google: the External and Internal Effects on Your Funeral Home, July 27, 2010, 3 ceu
- Social Media & Funeral Service: Making Sense of Facebook, Twitter, and YouTube, July 27, 2010, 3 ceu
- Understanding Google: the External and Internal Effects on Your Funeral Home, ongoing, 3 ceu
- Social Media & Funeral Service: Making Sense of Facebook, Twitter, and YouTube, ongoing, 3 ceu

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Aurora Casket Company, P.O. Box 29, Aurora, IN 47001

- Lifetimes Building Trust with Families, November 3, 2010, 9 ceu
- Lifetimes Building Trust with Families, November 4, 2010, 9 ceu

E.C. Nurre Funeral Home, 315 West Plane Street, Bethel, OH 45106

- Holiday Help Program, November 14, 2010, 2 ceu

Education Workers Group, 45 Ludlow St., Staten Island, NY 10312 718-701-0385

- Limiting Exposure to HIV/AIDS, online, ongoing, 2 ceu
- OSHA Compliance for Funeral Homes, online, ongoing, 2 ceu
- Helping Parents Children Cope with Death, online, ongoing, 1 ceu
- Helping Parents Cope with Unexpected Death, online, ongoing, 1 ceu
- Complying with the FTC Funeral Rule, online, ongoing, 2 ceu
- Funeral Products and the Environment, online, ongoing, 2 ceu
- When Children Die: the Final Arrangements, online, ongoing, 1 ceu

Epsilon Nu Delta Mortuary Fraternity, Inc., P.O. Box 3057, Newark, NJ 07103

- Formaldehyde Free Embalming Chemicals, August 4, 2010, 1 ceu
- Embalming Without Electricity and in Situations of Natural Disaster, August 4, 2010, 1 ceu

Funeral Review.Com, 2201 Dr. MLK Jr. Street North, St. Petersburg, FL 33704

- Cycle of Excellence: Value Training, ongoing, 7 ceu
- 5th Annual Funeral Service Business Forum, November 17-19, 2010, 13 ceu

Ivy Tech Community College, 410 E. Columbus Drive, East Chicago, IN 46312

- The History of Transportation in Funeral Service, ongoing, 2 ceu
- The Embalmer's Banquet, ongoing, 2 ceu

Selected Independent Funeral Homes, 500 Lake Cook Road, Suite 205, Deerfield, IL 60015

- 2010 Annual Meeting, September 29-October 2, 2010, 13 ceu

Wilbert Burial Vault Co., Inc., 509 East Preston St., Terre Haute, IN 47802

- How Families Make Buying Decisions, Ongoing, 1 ceu

**MINUTE NO. 10-65
RULES DISCUSSION**

The rules committee discussed the proposed rule draft from Kevin McDowell. The committee will meet after the regular business is taken care of for the next two board meetings.

**MINUTE NO. 10-66
ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 12:40 p.m.

Dated: _____

Theodore Mau,
Chairman

Attest: _____
Tracy Hicks, Board Director